

In the Court of Appeals of the State of Alaska

Keone J Lee,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. **A-12860**

Notice to the Parties

Date of Notice: **December 16, 2019**

Trial Court Case No. **3AN-11-08545CR**

Before: Allard, Chief Judge, and Wollenberg and Harbison, Judges.

Oral argument is scheduled in this case for tomorrow, December 17, 2019.

In preparing for the argument, the Court has identified the following cases relevant to two of the issues raised on appeal.

With respect to whether Keone Lee's prior court martial qualifies as a prior conviction under Alaska law, the United States Supreme Court is currently considering whether the Sixth Amendment right to jury unanimity is applicable to the states through the Fourteenth Amendment. *See Ramos v. Louisiana*, Docket No. 18-5924 (oral argument held Oct. 7, 2019).

With respect to Lee's claim that the trial court erred in declining to sever the child pornography charges from the remaining charges, see *United States v. Brand*, 467 F.3d 179 (2d Cir. 2006); *Altman v. State*, 495 S.E.2d 106 (Ga. App. 1997); *State v. Coburn*, 176 P.3d 203 (Kan. App. 2008); *Yecovenko v. State*, 173 P.3d 684 (Mont. 2007); *State v. Sutherby*, 204 P.3d 916 (Wash. 2009) (en banc).

The parties should be prepared to address these cases and related authority at oral argument.

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Entered at the direction of the Court.

Clerk of the Appellate Courts

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